

**REMARKS**

In the Office Action,<sup>1</sup> the Examiner rejected claims 9 and 14 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,537,314 to Kanter ("*Kanter*") in view of U.S. Patent No. 6,594,640 to Postrel ("*Postrel*"), U.S. Publication No. 2001/0037453 to Mitty et al. ("*Mitty*"), and U.S. Patent No. 6,718,468 to Challenger et al. ("*Challenger*"). Applicant respectfully traverses the rejection.

Independent claim 9 recites a point transfer dealer system comprising, for example, "a point transfer dealer account . . . for storing money transferred from the service provider accounts based on the issued points, and a pool account for temporarily storing money transferred from the point transfer dealer account to be transferred to the customer account during the point transfer based on the redeemed points."

Therefore, according to claim 9, money is transferred from (A) service provider accounts to (B) point transfer dealer account to (C) pool account, and then to (D) customer account. *Kanter*, *Postrel*, *Mitty*, and *Challenger* fail to teach or suggest the claimed chain of money transfers using the four accounts from A to B to C to D.

The Examiner alleges that (A') sponsoring company account memory 80 or (A') bank account 52 of company 14 of *Kanter* corresponds to the claimed (A) service provider accounts; that (B') central control center 12 or (B') memory 48 at central control center 12 of *Kanter* corresponds to the claimed (B) point transfer dealer account; that

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<sup>1</sup> The Office Action may contain statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement of characterization in the Office Action.

(C') holding account 78 of *Kanter* corresponds to the claimed (C) pool account; and that (D') bank account 82 of participant 72 or (D') participant account memory 79 of *Kanter* corresponds to the claimed (D) customer account. Office Action, at 20-21. This is incorrect for at least reasons presented below.

*Kanter* fails to disclose transfer of money from either sponsoring company account memory 80 or bank account 52 to either central control center 12 or memory 48 (i.e., from A' to B'). Instead, *Kanter* discloses that "amount may be electronically debited from the sponsoring company's appropriate bank account 52 . . . and stored in [holding account] memory 78" (i.e., from A' to C'). *Kanter*, 21:67-22:6. *Kanter* further discloses that "[w]ire transfer to a participant's bank account 82 . . . may . . . occur from . . . sponsoring companies' bank account[] 52" (i.e., from A' to D'). *Kanter*, 22:61-64. Therefore, *Kanter* discloses money transfers from A' to C' and from A' to D', but not from A' to B'.

Next, *Kanter* fails to disclose transfer of money from either central control center 12 or memory 48 to holding account 78 (i.e., from B' to C'). Instead, *Kanter* discloses that "amount may be electronically debited from the sponsoring company's appropriate bank account 52 . . . and stored in [holding account] memory 78" (i.e., from A' to C'). *Kanter*, 21:67-22:6. Therefore, *Kanter* discloses money transfer from A' to C', but not from B' to C'.

Furthermore, claim 9 recites that the (C) "pool account [is] for temporarily storing money." *Kanter* fails to disclose that (C') holding account memory 78 is for temporarily storing money. Instead, *Kanter* discloses that (B') memory 48 is for temporary storage.

See *Kanter*, 23:65-67, 24:9-11, 24: 23-24. Therefore, (C') holding account memory 78 of *Kanter* cannot correspond to the claimed (C) "pool account."

Moreover, claim 9 recites "a point transfer dealer account . . . for storing money transferred from the service provider accounts based on the issued points, and a pool account for temporarily storing money transferred from the point transfer dealer account to be transferred to the customer account during the point transfer based on the redeemed points." Therefore, the money transfer from A to B is based on issued points and the money transfers from B to C and from C to D are based on redeemed points. However, *Kanter* fails to disclose that money transfer from A' to B' (if such transfer is disclosed) is based on issued points, and that money transfers from B' to C' and from C' to D' (if such transfers are disclose) are based on redeemed points.

*Postrel*, *Mitty*, and *Challener* fail to cure the deficiencies of *Kanter*.

For at least the foregoing reasons, *Kanter*, *Postrel*, *Mitty*, and *Challener* fail to teach or suggest the claimed invention, including at least the recitation "a point transfer dealer account . . . for storing money transferred from the service provider accounts based on the issued points, and a pool account for temporarily storing money transferred from the point transfer dealer account to be transferred to the customer account during the point transfer based on the redeemed points," as set forth in claim 9. Therefore, a *prima facie* case of obviousness has not been established with respect to claim 9. Independent claim 14, although different in scope from claim 9, is allowable for at least similar reasons as claim 9. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 9 and 14 under 35 U.S.C. § 103(a).


In view of the foregoing, Applicant respectfully requests reconsideration of this application and timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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